

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 16023 of 2004

Between:

A. Laxmana Swamy, S/o A. Janakiramaiah,
R/o H.No. 3-22-99, Raja Street,Kollapur, Mahabubnagar District.

..... PETITIONER

AND

The A.P. State Civil Supplies Corporation Ltd, rep. by its Vice Chairman and
Managing Director, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the Respondent-Corporation in purporting to provide an opportunity to such of the tenderers whose tenders were rejected and who have taken refund of the Earnest Money Deposit (EMD) to participate in the re-negotiations scheduled to be held on 9-9-2004 or any later date pursuant to the Tender Notification Bearing No. PDS.2/MOVT/FG.5(1`)2176/2004-2005, dt.6-7-2004 regarding the contract for transportation of Rice and Pulses for the year 2004-2005 for the period from 1-8-2004 to 31-7-2005 in respect of Mahabubnagar District is arbitrary and illegal and direct the respondent-corporation to restrict finalisation and grant of contract to such of the tenderers whose EMDs were with-held or in the alternative direct the respondent-corporation to issue a fresh tender notification in respect of the said contract.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.M.B.THIMMA REDDY

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.16023 OF 2004

ORDER:

This is a writ petition filed by one of the tenderers whose EMD was withheld in the tender which is covered by W.P.No.16007 of 2004.

2. In view of the order passed in W.P.No.16007 of 2004, this Writ Petition is disposed of by observing that the findings in the said Writ Petition are applicable to this case also.

Dr. G.YETHIRAJULU, J

09th September, 2004

SKM

Note:

Operative portion by wire

B/o.

skm

TO

1 The Vice Chairman and Managing Director, A.P. State
Civil Supplies Corporation Ltd, Hyderabad.

2 Two C.D. Copies.